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657 IAC Chapter 19 NONRESIDENT PHARMACY PRACTICE

657—19.1(155A) Definitions.

“*Board*” means the Iowa board of pharmacy examiners.

“*Home state*” means the state in which a pharmacy is located.

“*Nonresident pharmacy*” means a pharmacy, including an Internet-based pharmacy, located outside the state of Iowa which delivers, dispenses, or distributes, by any method, prescription drugs, devices, or pharmacy services to an ultimate user physically located in this state.

“*Nonresident pharmacy license*” means a pharmacy license issued to a nonresident pharmacy.

“*Pharmacy service*” includes, but is not limited to, nonproduct services such as providing patient counseling and drug information, assessing health risks, and providing pharmaceutical care.

657—19.2(155A) Application and license requirements.

A nonresident pharmacy shall apply for and obtain, pursuant to provisions of 657—8.35(155A), a nonresident pharmacy license from the board prior to providing prescription drugs, devices, or pharmacy services to an ultimate user in this state. Change of pharmacy name, ownership, location, or pharmacist in charge shall require a new completed application and license fee pursuant to 657—subrule 8.35(6). A nonresident pharmacy intending to close or discontinue provision of prescription drugs, devices, and pharmacy services to Iowa patients shall notify the board as provided in 657—subrule 8.35(7).

657—19.3(124,155A) Applicability of board rules.

A nonresident pharmacy shall comply with all requirements of this chapter and of 657—Chapter 8 and other board rules relating to the services that are provided by the pharmacy to patients in Iowa.

19.3(1) Type of pharmacy practice. A nonresident pharmacy, based on the principal type of pharmacy practice, shall comply with board rules as follows:

1. A “general pharmacy” as described in 657—6.1(155A) shall comply with all requirements of 657—Chapter 6.

2. A “hospital pharmacy” as described in 657—7.1(155A), excepting licensure pursuant to Iowa Code chapter 135B, shall comply with all requirements of 657—Chapter 7.

3. A “limited use pharmacy” as described in 657—subrule 8.35(2) shall comply with all requirements of the limited use pharmacy practice.

19.3(2) Controlled substances. A nonresident pharmacy providing prescription drugs identified as controlled substances under Iowa Code chapter 124 shall comply with all requirements of 657—Chapter 10 except requirements for registration with the board.

19.3(3) Compounding. A nonresident pharmacy engaged in the compounding of drug products as defined in 657—20.2(124,126,155A) shall comply with all requirements of 657—Chapter 20.

19.3(4) Long-term care services. A nonresident pharmacy providing services to Iowa patients in a long-term care facility as defined in 657—23.1(155A) shall comply with all requirements of 657—Chapter 23.

19.3(5) Electronic data. A nonresident pharmacy utilizing any electronic data processing or transmission devices or services shall comply with all requirements of 657—Chapter 21.

657—19.4 to 19.6 Reserved.

657—19.7(155A) Confidential data.

The pharmacist in charge shall be responsible for developing, implementing, and enforcing policies and procedures to ensure patient confidentiality and to protect patient identity and patient-specific information from inappropriate or nonessential access, use, or distribution pursuant to the requirements of 657—8.16(124,155A).

657—19.8(124,155A) Storage and shipment of drugs and devices.

The pharmacist in charge shall be responsible for developing, implementing, and enforcing policies and procedures to ensure compliance with rules 657—8.7(155A) and 657—8.15(155A) and USP standards for the storage and shipment of drugs and devices. Policies and procedures shall provide for the shipment of controlled substances via a secure and traceable method, and all records of such shipment and delivery to Iowa patients shall be maintained for a minimum of two years from date of delivery.

657—19.9(155A) Patient record system, prospective drug use review, and patient counseling.

19.9(1) Patient record system. A patient record system shall be maintained pursuant to 657—6.13(155A) for Iowa patients for whom prescription drug orders are dispensed.

19.9(2) Prospective drug use review. A pharmacist shall, pursuant to the requirements of 657—8.21(155A), review the patient record and each prescription drug order before dispensing.

19.9(3) Patient counseling. The pharmacist in charge shall be responsible for developing, implementing, and enforcing policies and procedures to ensure that Iowa patients receive appropriate counseling pursuant to the requirements of 657—6.14(155A).

657—19.10(155A) Discipline.

Pursuant to 657—Chapters 35 and 36, the board may deny, suspend, or revoke a nonresident pharmacy license for any violation of Iowa Code section 155A.13A; section 155A.15, subsection 2, paragraph “a,” “b,” “d,” “e,” “f,” “g,” “h,” or “i”; Iowa Code chapter 124, 124A, 124B, 126, or 205; or a rule of the board.

These rules are intended to implement Iowa Code sections 124.301, 124.306, 155A.13, 155A.13A, 155A.19, and 155A.35. [10/9/2002]